
SENATE BILL 5217

State of Washington

60th Legislature

2007 Regular Session

By Senators Jacobsen and Pridemore

Read first time 01/12/2007. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to operation and maintenance of open space,
2 agricultural, and timber lands acquired through the conservation
3 futures program; and amending RCW 84.34.230 and 84.34.240.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 84.34.230 and 2005 c 449 s 1 are each amended to read
6 as follows:

7 Conservation futures are a useful tool for counties to preserve
8 lands of public interest for future generations. Counties are
9 encouraged to use some conservation futures as one tool for salmon
10 preservation purposes.

11 For the purpose of acquiring conservation futures and other rights
12 and interests in real property pursuant to RCW 84.34.210 and 84.34.220,
13 and for maintaining and operating any property acquired with these
14 funds, a county may levy an amount not to exceed (~~six and one~~
15 ~~quarter~~) twelve and one-half cents per thousand dollars of assessed
16 valuation against the assessed valuation of all taxable property within
17 the county. The limitations in RCW 84.52.043 shall not apply to the
18 tax levy authorized in this section. Any rights or interests in real
19 property acquired under this section after July 24, 2005, must be

1 located within the assessing county. Further, the county must
2 determine if the rights or interests in real property acquired with
3 these funds would reduce the capacity of land suitable for development
4 necessary to accommodate the allocated housing and employment growth,
5 as adopted in the countywide planning policies. When actions are taken
6 that reduce capacity to accommodate planned growth, the jurisdiction
7 shall adopt reasonable measures to increase the capacity lost by such
8 actions.

9 **Sec. 2.** RCW 84.34.240 and 2005 c 449 s 2 are each amended to read
10 as follows:

11 Conservation futures are a useful tool for counties to preserve
12 lands of public interest for future generations. Counties are
13 encouraged to use some conservation futures as one tool for salmon
14 preservation purposes.

15 (1) Any board of county commissioners may establish by resolution
16 a special fund which may be termed a conservation futures fund to which
17 it may credit all taxes levied pursuant to RCW 84.34.230. Amounts
18 placed in this fund may be used for the purpose of acquiring rights and
19 interests in real property pursuant to the terms of RCW 84.34.210 and
20 84.34.220, and for the maintenance and operation of any property
21 acquired with these funds. The amount of revenue used for maintenance
22 and operations of parks and recreational land may not exceed
23 (~~fifteen~~) twenty-five percent of the total amount collected from the
24 tax levied under RCW 84.34.230 in the preceding calendar year.
25 Revenues from this tax may not be used to supplant existing maintenance
26 and operation funding. Any rights or interests in real property
27 acquired under this section must be located within the assessing
28 county. Further, the county must determine if the rights or interests
29 in real property acquired with these funds would reduce the capacity of
30 land suitable for development necessary to accommodate the allocated
31 housing and employment growth, as adopted in the countywide planning
32 policies. When actions are taken that reduce capacity to accommodate
33 planned growth, the jurisdiction shall adopt reasonable measures to
34 increase the capacity lost by such actions.

35 (2) In counties greater than one hundred thousand in population,
36 the board of county commissioners or county legislative authority shall

1 develop a process to help ensure distribution of the tax levied under
2 RCW 84.34.230, over time, throughout the county.

3 (3)(a) Between July 24, 2005, and July 1, 2008, the county
4 legislative authority of a county with a population density of fewer
5 than four persons per square mile may enact an ordinance offering a
6 ballot proposal to the people of the county to determine whether or not
7 the county legislative authority may make a one-time emergency
8 reallocation of unspent conservation futures funds to pay for other
9 county government purposes, where such conservation futures funds were
10 originally levied under RCW 84.34.230 but never spent to acquire rights
11 and interests in real property.

12 (b) Upon adoption by the county legislative authority of a ballot
13 proposal ordinance under (a) of this subsection the county auditor
14 shall: (i) Confer with the county legislative authority and review any
15 proposal to the people as to form and style; (ii) give the ballot
16 proposal a number, which thereafter shall be the identifying number for
17 the proposal; (iii) transmit a copy of the proposal to the prosecuting
18 attorney; and (iv) submit the proposal to the people at the next
19 general or special election that is not less than ninety days after the
20 adoption of the ordinance by the county legislative authority.

21 (c) The county prosecuting attorney shall within fifteen working
22 days of receipt of the proposal compose a concise statement, posed as
23 a positive question, not to exceed twenty-five words, which shall
24 express and give a true and impartial statement of the proposal. Such
25 concise statement shall be the ballot title.

26 (d) If the measure is affirmed by a majority voting on the issue it
27 shall become effective ten days after the results of the election are
28 certified.

29 (4) Nothing in this section shall be construed as limiting in any
30 manner methods and funds otherwise available to a county for financing
31 the acquisition of such rights and interests in real property.

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